except as provided by local rul Court to initiate the civil docker	es of court. This form, approv	ed in its original f	orm by the J	ludicial Conference of t	the Unite	ed States in September 1974,	ers as required by law, is required for the Clerk of
I. (a) PLAINTIFFS				DEFENDANTS			
John Sparks				Google, LLC and Google Payment Corp.			
(b) County of Residence of First Listed Plaintiff Blount County (EXCEPT IN U.S. PLAINTIFF CASES) (c) Attorneys (Firm Name, Address, and Telephone Number) Pearson, Simon & Warshaw, LLP 15165 Ventura Boulevard, Suite 400				County of Residence of First Listed Defendant Santa Clara, CA (IN U.S. PLAINTIFF CASES ONLY)			
				NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.			
				Attorneys (If Known)			
(818) 788-8300							
II. BASIS OF JURIS	DICTION (Place an "X" in	One Box Only)	III. CIT	TIZENSHIP OF PF Diversity Cases Only)	RINCI	PAL PARTIES (Place an and One B	'X'' in One Box for Plaintiff ox for Defendant)
1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)				PTF DEF zen of This State PTF DEF 1 Incorporated or Principal Place of Business In This State			
2 U.S. Government Defenda	Citizer	of Another State \times 2 Incorporated and Principal Place 5					
2 C.S. Government Defenda	Parties in Item III)		n or Subject of a n Country	3	of Business In Anoth Foreign Nation	er State	
	JIT (Place an "X" in One Box o	**					
CONTRACT 110 Insurance		RTS		FORFEITURE/PENA		BANKRUPTCY	OTHER STATUTES 375 False Claims Act
120 Marine	PERSONAL INJURY 310 Airplane	PERSONAL I 365 Personal Inju		625 Drug Related Seize Property 21 USC §		422 Appeal 28 USC § 158 423 Withdrawal 28 USC	376 Qui Tam (31 USC
130 Miller Act	315 Airplane Product Liability	Liability		690 Other		§ 157	§ 3729(a)) 400 State Reapportionment
140 Negotiable Instrument 150 Recovery of	320 Assault, Libel & Slander	367 Health Care/ Pharmaceutical Personal		LABOR	uda A at	PROPERTY RIGHTS 820 Copyrights	410 Antitrust
Overpayment Of Veteran's Benefits	330 Federal Employers' Liability 340 Marine	Injury Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY 370 Other Fraud		710 Fair Labor Standards Act 720 Labor/Management Relations	830 Patent 835 Patent—Abbreviated New	430 Banks and Banking 450 Commerce	
151 Medicare Act 152 Recovery of Defaulted	345 Marine Product Liability			740 Railway Labor Ac	r Act	Drug Application	460 Deportation
Student Loans (Excludes	350 Motor Vehicle			751 Family and Medica Leave Act	al	840 Trademark 880 Defend Trade Secrets	470 Racketeer Influenced & Corrupt Organizations
Veterans) 153 Recovery of	355 Motor Vehicle Product Liability	371 Truth in Lene	_	790 Other Labor Litiga	ation	Act of 2016	480 Consumer Credit
Overpayment	360 Other Personal Injury	380 Other Personal Property Damage		791 Employee Retirem Income Security A		SOCIAL SECURITY	485 Telephone Consumer Protection Act
of Veteran's Benefits	362 Personal Injury -Medical Malpractice	385 Property Dar	nage Product	IMMIGRATION		861 HIA (1395ff)	490 Cable/Sat TV
160 Stockholders' Suits X 190 Other Contract	CIVIL DICHTS	Liability		462 Naturalization		862 Black Lung (923) 863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange
195 Contract Product Liability	CIVIL RIGHTS 440 Other Civil Rights	PRISONER PET		Application	1	864 SSID Title XVI	890 Other Statutory Actions
196 Franchise	441 Voting	463 Alien Detain		465 Other Immigration Actions	1 -	865 RSI (405(g))	891 Agricultural Acts
210 Land Condemnation	442 Employment	510 Motions to V	acate		-	FEDERAL TAX SUITS	893 Environmental Matters 895 Freedom of Information
220 Foreclosure	443 Housing/ Accommodations 445 Amer. w/Disabilities— Employment 446 Amer. w/Disabilities—Other 448 Education	Sentence 530 General 535 Death Penalty OTHER 540 Mandamus & Other 550 Civil Rights 555 Prison Condition 560 Civil Detainee— Conditions of Confinement			ı	870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC § 7609	Act
230 Rent Lease & Ejectment					1		
240 Torts to Land 245 Tort Product Liability							Act/Review or Appeal o
290 All Other Real Property							Agency Decision 950 Constitutionality of State
							Statutes
V. ORIGIN (Place an X 1 Original Proceeding 2	Removed from 3	Remanded from Appellate Court	4 Reins	tated or 5 Transfer ened Another	rred from r District		8 Multidistrict sfer Litigation–Direct File
VI. CAUSE OF Cite	e the U.S. Civil Statute under	which you are filing	ng (Do not c	ite jurisdictional statutes u	unless div	versity):	
ACTION 28	U.S.C. § 1332(d)						
	ef description of cause: ecovery of Gambling Lo	sses; Unjust E	nrichmen	t			
VII. REQUESTED IN CHECK IF THIS IS A CLASS ACTION COMPLAINT: UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ 5,000,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: X Yes No							
VIII. RELATED CAS	JODGE			DOCKET NU	MBER		

DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND × SAN JOSE EUREKA-MCKINLEYVILLE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

Authority For Civil Cover Sheet. The JS-CAND 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I. a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)."
- II. Jurisdiction. The basis of jurisdiction is set forth under Federal Rule of Civil Procedure 8(a), which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - (2) United States defendant. When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - (3) <u>Federal question</u>. This refers to suits under 28 USC § 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - (4) <u>Diversity of citizenship</u>. This refers to suits under 28 USC § 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.)**
- **III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the six boxes.
 - (1) Original Proceedings. Cases originating in the United States district courts.
 - (2) Removed from State Court. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
 - (3) Remanded from Appellate Court. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing
 - (4) Reinstated or Reopened. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - (5) <u>Transferred from Another District</u>. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - (6) <u>Multidistrict Litigation Transfer</u>. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
 - (8) Multidistrict Litigation Direct File. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket.
 - Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC § 553. Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Federal Rule of Civil Procedure 23.
 - Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment. If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: "the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated."

Date and Attorney Signature. Date and sign the civil cover sheet.